



8/02/04

JFW 11647/1A

PTO/SB/21 (04-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Nichols
Attorney Docket Number	15270J-004743US

Total Number of Pages in This Submission

14

**ENCLOSURES** (Check all that apply)☒ Fee Transmittal Form (1 pp.,  
submitted in duplicate)☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Supplemental Information  
Disclosure Statement ( 5 pp.)  
PTO/SB08A (1 pp.) PTO/SB08B (4 pp.)  
\*cite nos. 451-508☐ Certified Copy of Priority  
Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication  
to Technology Center (TC)☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please  
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit  
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Townsend and Townsend and Crew LLP

Rosemarie L. Colli

Reg. No. 42,397

Signature

Date

July 30, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name

Ron Anton

Signature

Date

July 30, 2004



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

## Complete if Known

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk, Dale B.
Examiner Name	Christopher J. Nichols
Art Unit	1647
Attorney Docket No.	15270J-004743US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	-** =		X		X	
Independent Claims	-** =		X		X	
Multiple Dependent			X			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

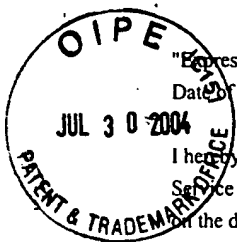
(\$180)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Rosemarie L. Celli	Registration No. (Attorney/Agent)	42,397	Telephone	650-326-2400
Signature		Date	July 30, 2004		

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Commissioner for Patents  
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Alexandria, VA 22313-1450

By: Ron Anton

PATENT  
Attorney Docket No.: 15270J-004743US  
Client Reference No.: 209-US-CIP5C3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No: 09/724,319  
Applicant: Dale B. Schenk  
Filed: November 27, 2000  
TC/A.U. 1647  
Examiner: Christopher J. Nichols  
  
Docket No: 15270J-004743US  
Customer No: 20350

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 AND §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of reference numbers 451-508 are enclosed. It is respectfully requested that the cited references be expressly considered during the

prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98 issue fee paid on 10/07/03;  
09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00 issue fee paid on 10/07/03;  
09/723,927 filed 11/28/00 issue fee paid on 10/07/03;  
09/723,762 filed 11/28/00 issue fee paid on 10/07/03;  
09/724,102 filed 11/28/00 issue fee paid on 10/07/03;  
09/724,489 filed 11/28/00 issue fee paid on 10/07/03;  
10/816,022 filed 03/31/04;  
10/816,529 filed 03/31/04;  
10/815,391 filed 03/31/04;  
10/815,353 filed 03/31/04;  
15270J-004736US filed 03/31/04;  
10/815,404 filed 03/31/04;  
09/322,289 filed 05/28/99;  
09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00 issued as U.S. 6,710,226 on 03/23/04;  
09/724,495 filed 11/27/00;  
10/788,666 filed 02/27/04;  
10/429,216 filed 05/30/03;  
09/580,015 filed 05/26/00;  
09/724,940 filed 11/28/00;  
09/724,961 filed 11/28/00 issue fee paid on 02/26/04;  
09/580,018 filed 05/26/00 issue fee paid on 02/26/04;

09/724,552 filed 11/28/00 issue fee paid on 02/26/04;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00; issue fee paid on 02/26/04;  
09/724,288 filed 11/28/00;  
10/777,792 filed 02/11/04;  
15270J-004767US filed 04/12/04;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
09/724,929 filed 11/28/00;  
09/585,817 filed 06/01/00;  
09/724,567 filed 11/28/00 notice of allowance mailed 03/02/04;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00 notice of allowance mailed 03/11/04;  
09/724,570 filed 11/28/00;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;  
09/979,701 filed 03/13/01 (U.S. Nat'l Stage of PCT/US00/14810 filed 05/26/00);  
09/979,952 filed 04/04/02 (U.S. Nat'l Stage of PCT/US00/15239 filed 06/01/00);

and,

09/980,568 filed 03/12/02 (U.S. Nat'l Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related  
subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/789,273 filed 2/27/04;  
10/232,030 filed 08/30/02;  
10/388,389 filed 03/12/03

10/703,713 filed November 7, 2003

10/704,070 filed November 7, 2003

10/388,214 filed 03/12/03;

60/474,654 filed 05/30/03;

60/530,481 filed 12/17/03; and,

10/771,174 filed 02/04/04.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;

60/080,970 filed 04/07/98;

60/067,219 filed 12/03/97;

60/079,697 filed 03/27/98;

09/204,838 filed 12/03/98;

09/724,921 filed 11/28/00;

60/137,010 filed 06/01/99;

60/251,892 filed 12/6/00;

60/137,047 filed 06/01/99; and,

60/136,655 filed 05/28/99.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00;

60/444,150 filed 02/01/03; and,

60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;

60/079,697 filed 03/27/98;

09/204,838 filed 12/03/98;

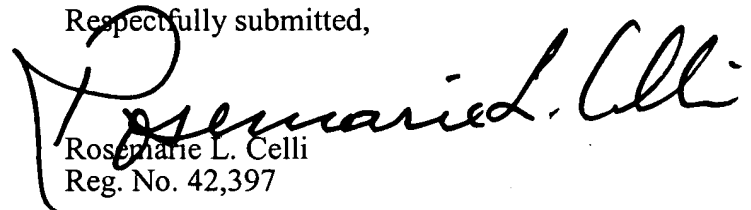
09/724,921 filed 11/28/00; and,

09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes a fee of \$180 is required for submission of this statement, since it is being submitted after the first Office Action on the merits but before a final action. The Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Rosemarie L. Celli  
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RLC



PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

**Complete if Known**

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004743US

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	453	2002/0058267 A1	05-16-2002	Ozenberger et al.	
	452	6,218,506 B1	04-17-2001	Krafft et al.	
	451	5,766,846	06-16-1998	Schlossmacher et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	458	WO	02/06048 1	A1	08-08- 2002			
	457	WO	02/04623 7	A1	06-13- 2002			
	456	WO	02/02114 1	A2	03-14- 2002			
	455	WO	01/10900	A2	02-15- 2001			
	454	WO	98/33815	A1	08-06- 1998			

Examiner  
SignatureDate  
Considered

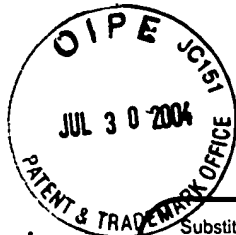
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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60274022 v1





PTO/SB/08B (10-01)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2 of 5

**Complete if Known**

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004743US

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	484	ARENDIASH GW et al., "Behavioral assessment of Alzheimer's transgenic mice following long-term A $\beta$ vaccination: Task specificity and correlations between A $\beta$ deposition and spatial memory," <u>DNA and Cell Biology</u> , 20(11):737-744 (2001)	
	485	BACSKAI BJ et al., "Imaging of amyloid- $\beta$ deposits in brains of living mice permits direct observation of clearance of plaques with immunotherapy," <u>Nature Medicine</u> , 7(3):369-372 (2001)	
	504	BALBACH J et al., "Amyloid fibril formation by A $\beta$ <sub>16-22</sub> , a seven-residue fragment of the Alzheimer's $\beta$ -amyloid peptide, and structural characterization by solid state NMR" <u>Biochemistry</u> , vol. 39, pp. 13748-59 (2000)	
	461	BURDICK D et al., "Assembly and aggregation properties of synthetic Alzheimer's A4/ $\beta$ amyloid peptide antigens," <u>J Biol Chme</u> , 267:546-55 (1992)	
	462	CO MS et al. "Chimeric and humanized antibodies with specificity for the CD33 antigen," <u>J Immunol</u> , 148:1149-1154 (1992)	
	469	DEMATTOS RB et al., "Peripheral anti-A $\beta$ antibody alters CNS and plasma clearance and decreases A $\beta$ burden in a mouse model of Alzheimer's disease3," <u>Proc Natl Acad Sci USA</u> 98(15):8850-8855	
	493	DEMATTOS RB et al., "Plaque-associated disruption of CSF and plasma amyloid- $\beta$ (A $\beta$ ) equilibrium in a mouse model of Alzheimer's disease," <u>J Neurochem</u> , 81:229-236, (2002)	
	486	DICKEY CA et al., "Duration and specificity of humoral immune responses in mice vaccinated with the Alzheimer's disease-associated $\beta$ -amyloid 1-42 peptide," <u>DNA and Cell Biology</u> , 20(11):723-729 (2001)	
	475	EL-AGNAF OM et al., "The influence of the central region containing residues 19-25 on the aggregation properties and secondary structure of Alzheimer's beta-amyloid peptide," <u>Eur J Biochem</u> , 256(3):560-569 (1998)	
	501	ESLER W et al., "Point substitution in the central hydrophobic cluster of a human $\beta$ -amyloid congener disrupts peptide folding and abolishes plaque competence" <u>Biochemistry</u> , vol. 35, pp. 13914-21 (1996)	
	464	FLOOD JF et al., "An amyloid $\beta$ -Protein fragment, A $\beta$ [12-28J, equipotently impairs post-training memory processing when injected into different limbic system structures," <u>Brain Res</u> , 663(2):271-276 (1994)	
	463	GHISO J et al., "Epitope map of two polyclonal antibodies that recognize amyloid lesions in patients with Alzheimer's disease," <u>Biochem J</u> , 282 (Pt 2):517-522 (1992)	

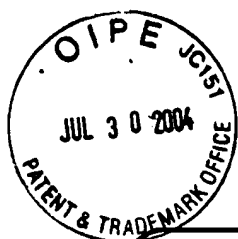
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Sheet 3 of 5

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Filing Date	November 27, 2000
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Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004743US

470	GIULIAN D et al., "Specific domains of $\beta$ -amyloid from Alzheimer plaque elicit neuron killing in human microglia," <u>J Neurosci</u> , 16 (19):6021-6037 (1996)	
503	GOREVIC P et al., "Ten to fourteen residue peptides of Alzheimer's disease protein are sufficient for amyloid fibril formation and its characteristic X ray diffraction pattern" <u>Biochem. and Biophys. Res. Commun.</u> , vol. 147, no. 2 (1987)	
487	HAASS C et al., "Protofibrils, the unifying toxic molecule of neurodegenerative disorders?" <u>Nature Neuroscience</u> , 4(9):859-860 (2001)	
476	HE X-Y et al., "Humanization and pharmacokinetics of a monoclonal antibody with specificity for both E- and P- selectin," <u>J Immunol</u> , 160:1029-1035 (1998)	
473	HILBICH C et al., "Aggregation and secondary structure of synthetic amyloid $\beta$ A4 peptides of Alzheimer's disease" <u>J. Mol. Biol.</u> , vol. 218, pp 149-163 (1991)	
471	HILBICH C et al., "Substitutions of hydrophobic amino acid reduce the amyloidogenicity of Alzheimer's disease $\beta$ A4 peptides" <u>J. Mol. Biol.</u> , vol. 228, pp 460-73 (1992)	
488	KLEIN WL et al., "Targeting small A $\beta$ oligomers: the solution to an Alzheimer's disease conundrum?" <u>Trends in Neurosciences</u> , 24(4):219-224 (2001)	
494	KOTILINEK LA et al., "Reversible memory loss in a mouse transgenic model of Alzheimer's disease," <u>J Neurosci</u> , 22(15):6331-6335 (2002)	
465	KOUDINOV A et al., "The soluble form of Alzheimer's amyloid beta protein is complexed to high density lipoprotein 3 and very high density lipoprotein in normal human plasma," <u>Biochem &amp; Biophys Res Comm</u> , 205:1164-1171 (1994)	
478	KUO YM et al., "High levels of circulating Abeta42 are sequestered by plasma proteins in Alzheimer's disease," <u>Biochem Biophys Res Commun</u> , 257(3):787- 791 (1999)	
477	LAMBERT MP et al., "Diffusible, nonfibrillar ligands derived from A $\beta$ 1-42 are potent central nervous system neurotoxins," <u>Proc Natl Acad Sci</u> , 95:6448-6453 (1998)	
489	LAMBERT MP et al., "Vaccination with soluble A $\beta$ oligomers generates toxicity-neutralizing antibodies," <u>J Neurochem</u> , 79:595-605 (2001)	
490	LEE VM-Y et al., "A $\beta$ immunization: Moving A $\beta$ peptide from brain to blood," <u>PNAS</u> , 98(16):8931-8932 (2001)	
459	LEVITT M. "Molecular dynamics of native protein," <u>J. Mol Biol</u> , 168:595-620 (1983)	
481	LEVY A et al., "Immunization for Alzheimer's disease: A shot in the arm or a whiff?" <u>American Neurological Assoc</u> , 48:553-554 (2000)	

Examiner  
SignatureDate  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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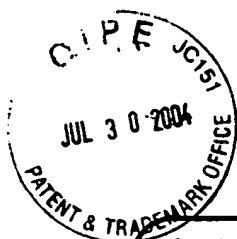
Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004743US

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